



Corpus Christi

1201 Leopard Street
Corpus Christi, TX 78401
cctexas.com

Meeting Minutes

City Council

Tuesday, April 11, 2017

11:30 AM

Council Chambers

Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

MEMBERS OF THE AUDIENCE WILL BE PROVIDED AN OPPORTUNITY TO ADDRESS THE COUNCIL AT APPROXIMATELY 12:00 P.M. CITIZEN COMMENTS WILL BE LIMITED TO THREE MINUTES. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak to the City Council MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

A. Mayor Pro Tem Lucy Rubio to call the meeting to order.

Mayor Pro Tem Rubio called the meeting to order at 11:31 a.m.

B. Invocation to be given by Elder Jimmy Perez, New Life Church.

Elder Jimmy Perez gave the invocation.

C. Pledge of Allegiance to the Flag of the United States to be led by Jared Cruz, Roy Miller High School, Member of the National Hispanic Institute.

Mr. Jared Cruz led the Pledge of Allegiance.

D. City Secretary Rebecca L. Huerta to call the roll of the required Charter Officers.

City Secretary Rebecca L. Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca L. Huerta.

Present: 8 - Council Member Rudy Garza, Council Member Paulette Guajardo, Council Member Michael Hunter, Council Member Joe McComb, Council Member Ben Molina, Council Member Lucy Rubio, Council Member Greg Smith, and Council Member Carolyn Vaughn

E. Proclamations / Commendations

1. Proclamation declaring April 11, 2017, "Court Appointed Special Advocate Volunteer Appreciation Day" and April 2017, "Child Abuse Prevention Month".
Proclamation declaring April 9 - 15, 2017, "Animal Control Officers, Staff and Volunteer Appreciation Week".
Proclamation declaring April 9 - 15, 2017, "National Public Safety Telecommunicators Week".
Proclamation declaring April 2017, "Safe Digging Month".

Mayor Pro Tem Rubio presented the proclamations, including the following additional proclamation: Proclamation declaring April 16, 2017, "The 75th Anniversary of the Easter Sunrise Passion Play".

J. PUBLIC COMMENT FROM THE AUDIENCE ON MATTERS NOT SCHEDULED ON THE AGENDA WILL BE HEARD AT APPROXIMATELY 12:00 P.M. A recording is made of the meeting; therefore, please speak into the microphone located at the podium and state your name and address. If you choose to speak during this public comment period regarding an item on the agenda, you may do so. You will not be allowed to speak again, however, when the Council is considering the item. Citizen comments are limited to three minutes. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the Public would like to use while they speak MUST be submitted a minimum of 24 hours prior to the Meeting. Please contact the Public Communications department at 361-826-3211 to coordinate.

Mayor Pro Tem Rubio deviated from the agenda and referred to comments from the public. Scott Leeton, 3122 Leopard, provided statistics comparing the average number of police officers to population in Corpus Christi and cities of comparable size and requested that the City Council consider adding police officers in the upcoming budget. Mary Lou Huffman, 402 Old Robstown Road, spoke regarding annexation on the southside of the City and the need to encourage infill development on the westside of the City. Kelly Sells, 5014 Wingfoot, spoke regarding police officers' failure to enforce handicap laws and ADA parking violations. Sherry Sells, 5014 Wingfoot, spoke regarding food trucks being allowed to park in handicapped parking spaces in the Corpus Christi Regional Transportation Authority's (RTA) parking lot and the City's approval of the parking. Carolyn Moon, 4902 Calvin, requested that the City improve the scheduling times for brush pickup. Abel Alonzo, 1701 Thames, addressed previous comments made regarding handicapped parking spaces being used at RTA and the City's good faith efforts to address issues for persons with disabilities. Sir Frederick Von King IV, PO Box 1181, commended the City Council for their work and informed them of his change of address. Susie Luna Saldana, 4710 Hakel, spoke regarding negative comments made relating to police officers and expressed support for funding additional police officers. Joan Veith, 5701 Cain Drive, spoke in support of increasing the number of police officers and complimented employees from the Water Department. Juan Araiza, 5921 Shadow Wood, spoke regarding a council member not responding to his emails and addressed the City's Code of Ethics.

Claude Axel, 741 Crestview, thanked the City Council for their work accommodating the citizens of Corpus Christi and spoke in support of additional police officers.

F. CITY MANAGER'S COMMENTS / UPDATE ON CITY OPERATIONS:

Mayor Pro Tem Rubio referred to City Manager's Comments. City Manager Margie C. Rose reported on the following topics:

a. OTHER

1) An update on the inspection of backflow prevention devices and the development of a contract to set prices for contractors to inspect the devices. This program will ensure compliance and will pass the cost on to customers who have not voluntarily complied. 2) City Manager Rose recognized and congratulated Housing and Community Development (HCD) staff who recently passed the Texas Department of State and Health Services' exam for lead risk assessors: Laura Rickerson, Marcus Flores, Alvin Witcher and Francisco Ramoz. The HCD Department can now conduct inspections on lead-based paint for homes that the City rehabilitates. By conducting this assessment in-house, the City saves \$400 on each home. 3) City Manager Rose recognized the following Parks and Recreation staff and honors: Assistant Director of Parks and Recreation Stacie Talbert Anaya who was recently sworn in as the 2017 President of the Texas Recreation and Parks Society; receipt of the Lonestar Programming Award for the Oso Bay Wetlands Preserve Naturalist Teacher Workshop and Wetland Workshop and acknowledgement of Program Specialist Sara Joes and Recreation Coordinator Lauren Piorkowski who worked on the project; and receipt of the Texas Arts and Humanities Programming Award and acknowledgement of Management Assistant Tess Allen and former Superintendent of Support Services Reba George.

G. MINUTES:

2. Regular Meeting of March 28, 2017 and City Council Workshops of March 30, 2017 and April 5, 2017.

Mayor Pro Tem Rubio deviated from the agenda and referred to approval of the minutes. Council Member Garza made a motion to approve the minutes, seconded by Council Member Vaughn and passed unanimously.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Airport Board
Animal Care Advisory Committee
Transportation Advisory Commission

Mayor Pro Tem Rubio referred to board and committee appointments. The following appointments were made:

Airport Board

Council Member Molina made a motion to reappoint Luis F. Buentello, Harold Kaffie, Jr. and Robert Williams, seconded by Council Member Garza. This

motion was passed with the following vote: Council Members Rubio, Smith, Garza, Guajardo, McComb, and Molina, voting "Aye"; Council Members Hunter and Vaughn voting "No".

Mayor Pro Tem Rubio nominated Eric J. Cantu. Council Member Garza nominated Jon Reilly. Council Member Molina nominated Heriberto A. Pineda, Jr.. Council Members Hunter, Vaughn, Rubio, and McComb voted for Eric J. Cantu. Council Members Guajardo, Smith, and Garza voted for Jon Reilly. Council Member Molina voted for Heriberto A. Pineda, Jr.

With no person receiving a majority vote, a runoff was conducted between Eric J. Cantu and Jon Reilly, which resulted in a tie. Council Members McComb, Rubio, Vaughn and Hunter voted for Eric J. Cantu. Council Members Garza, Smith, Guajardo, and Molina voted for Jon Reilly.

Council members requested clarification on Jon Reilly's residence and work addresses and requested to postpone the appointment until later in the meeting.

Animal Care Advisory Committee

Council Member Vaughn made a motion to reappoint Linda A. Gibeaut (Community At-Large), seconded by Council Member Molina and passed unanimously.

Council Member Garza made a motion to appoint Sharon Ray (Community At-Large) and Keera E. Seiger (Community At-Large), seconded by Council Member Molina and passed unanimously.

Transportation Advisory Commission

Council Member Garza made a motion to reappoint Dennis Miller and Leo Rios, seconded by Council Member Vaughn and passed unanimously.

Council Member Vaughn nominated John Garcia. Mayor Pro Tem Rubio nominated Robert A. Alvarez. Council Member Hunter nominated Phillip Davis.

John Garcia was appointed with Council Members Vaughn, Rubio, McComb, Smith, and Hunter voting for John Garcia; Council Members Guajardo and Garza voting for Robert A. Alvarez; and Council Member Molina voting for Phillip Davis.

With neither Robert A. Alvarez or Phillip Davis receiving a majority vote, a runoff was conducted and Robert A. Alvarez was appointed with Council Members Garza, Guajardo, McComb, Rubio, and Vaughn voting for Robert A. Alvarez and Council Members Smith, Molina and Hunter voting for Phillip Davis.

I. EXPLANATION OF COUNCIL ACTION:

K. CONSENT AGENDA: (ITEMS 4 - 8)

Mayor Pro Tem Rubio referred to the Consent Agenda. A council member requested that Item 5 be pulled for individual consideration. City Manager Rose requested that Item 8 be pulled for individual consideration. City Secretary Huerta announced that Council Member Hunter would be abstaining from the vote on Item 5; Council Member Molina would be abstaining from the vote on Item 8.

Council Member Garza made a motion to approve the consent agenda, seconded by Council Member Molina. The consent agenda items were passed and approved by one vote as follows:

Approval of the Consent Agenda

A motion was made by Council Member Garza, seconded by Council Member Molina, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

4. Supply Agreement for Sodium Bisulfite for the Wastewater Treatment Plant

Motion authorizing City Manager, or designee, to execute a supply agreement with Southern Ionics, Inc., of West Point, Mississippi for the purchase of Sodium Bisulfite ("chemical") in response to Request for Bid No. 1026 based on the lowest, responsive, responsible bid for a total amount not to exceed \$372,677.81, with an estimated expenditure of \$155,282.42 in FY2016-2017 and funded by the Wastewater Fund. The term of the agreement is for one year with an option to extend for up to two additional one year periods, subject to the approval of the supplier and the City Manager or designee.

This Motion was passed on the consent agenda.

Enactment No: M2017-052

6. Second Reading Ordinance - Appropriating Funds from Reimbursement of Sexual Assault Examinations (1st Reading 3/28/17)

Ordinance appropriating \$72,000 in General Fund No. 1020 from the reimbursement of forensic sexual assault examinations in the amount of \$72,000, and changing the FY 2016-2017 Operating Budget adopted by Ordinance No. 030965 by increasing revenue and expenditures in the General Fund No. 1020 by \$72,000 each.

This Ordinance was passed on second reading on the consent agenda.

Enactment No: 031109

7. Second Reading Ordinance - Accepting and Appropriating Funds from the State of Texas Law Enforcement Standards and Education (LEOSE) Account (1st Reading 3/28/17)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept an annual allocation payment from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$26,758.85; and appropriating funds from the State of Texas - Law Enforcement Officer Standards and Education Account in the amount of \$26,758.85 in the No. 1074 Police Grants Fund for training of police personnel and purchase of training equipment.

This Ordinance was passed on second reading on the consent agenda.

Enactment No: 031110

5. Motion authorizing renewal of property insurance

Motion authorizing the City Manager to execute all documents necessary to renew property insurance, including All Risk, Flood, Named Storm, Wind/Hail, Earthquake, and Equipment Breakdown insurance through Carlisle Insurance Agency, Broker of Record, for upcoming policy year (May 5, 2017-May 5, 2018) and policy years 2018-19 and 2019-20 in exchange for an annual premium in amounts not to exceed the total amount of original bid (\$2,001,750) and further subject to the reduced premium of \$1,952,914.52 for upcoming policy year, of which \$797,217.16 is required for the remainder of FY 2016-2017.

Mayor Pro Tem Rubio referred to Item 5, renewal of property insurance. City Attorney Miles Risley and council members discussed the following topics: the reason for the automatic renewal option; the ability to bid out the contract annually; the Broker of Record contract with Carlisle Insurance Agency; the percentage of savings; the flood insurance premium; and a breakdown of the structures that are insured. Council Member Hunter abstained from the discussion and vote on this item.

Council Member Garza made a motion to approve the motion, seconded by Council Member Smith. This Motion was passed and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Guajardo, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Hunter

Enactment No: M2017-053

8. Second Reading Ordinance - Conveying City-Owned Property to

Habitat for Humanity to Build Affordable Housing (1st Reading 3/28/17)

Ordinance authorizing the conveyance of property located within the city at 1906 Lipan Street, 1910 Lipan Street and 1914 Lipan Street to Habitat for Humanity for construction of single-family affordable housing, subject to specified conditions; authorizing the City Manager or designee to execute all necessary documents related to the transactions; and providing for severance.

Mayor Pro Tem Rubio referred to Item 8, donation of surplus City properties to Habitat for Humanity. Director of Housing and Community Development Rudy Bentancourt stated that the agreement has been modified to state that "Habitat will pay closing costs associated with the sale of each identified property". In response to a council member, Executive Director of Habitat for Humanity Barb Sweeney, stated that Habitat for Humanity finances the homes for buyers.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Guajardo. This Ordinance was passed on second reading and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Molina

Enactment No: 031111

M. PUBLIC HEARINGS: (ITEMS 9 - 11)**9. Public Hearing and First Reading Ordinance - Rezoning property located at 1744 Rand Morgan Road (FM 2292)**

Case No. 0217-01 Carlos and Rhonda Garcia: : A change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District. The property to be rezoned is described as a 1.615 acre tract out of the original 58.07 acre tract out of State Land Survey 416, Land Script No. 962, also being known as the F.J. Picha Tract, Corpus Christi, Nueces County, Texas, located on the east side of Rand Morgan Road, between Good-Night Loving Trail and McNorton Road.

Planning Commission and Staff Recommendation (February 9, 2017): Approval of the change of zoning from the "FR" Farm Rural District to the "RE" Residential Estate District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by Carlos and Rhonda Garcia ("Owner"), by changing the UDC Zoning Map in reference to a 1.615 acre tract out of the original 58.07 acre tract out of State Land Survey 416, Land Script No. 962,

also being known as the F.J. Picha Tract, Corpus Christi, Nueces County, Texas from the "FR" Farm Rural to the "RE" Residential Estate District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Rubio referred to Item 9. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the subject property to allow construction of a single-family home. Mr. Dimas stated that the Planning Commission and staff are in favor of the zoning change.

Mayor Pro Tem Rubio opened the public hearing. There were no comments from the public. Mayor Pro Tem Rubio closed the public hearing.

In response to a council member, Mr. Dimas provided clarification on the location of the property.

Council Member Hunter made a motion to approve the ordinance, seconded by Council Member Garza. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

10.

Public Hearing and First Reading Ordinance - Rezoning property located at 522 South Padre Island Drive (State Highway 358)

Case No. 0317-01 Estate of W.R. Durrill: A change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District. The property to be rezoned is described as being 1.823 acres out of 100 South Padre, Block 3, Lot 62, located on the north side of South Padre Island Drive (State Highway 358) between Investment Boulevard and Old Brownsville Road.

Planning Commission and Staff Recommendation (March 8, 2017): Approval of the change of zoning from the "IL" Light Industrial District to the "CG-2" General Commercial District.

Ordinance:

Ordinance amending the Unified Development Code ("UDC"), upon application by the Estate of W.R. Durrill ("Owner"), by changing the UDC Zoning Map in reference to a 1.823 acres out of 100 South Padre, Block 3, Lot 62, from the "IL" Light Industrial to the "CG-2" General Commercial District; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

Mayor Pro Tem Rubio referred to Item 10. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to rezone the

subject property to allow for construction of a hotel. Mr. Dimas stated that the Planning Commission and staff are in favor of the zoning change.

Mayor Pro Tem Rubio opened the public hearing. There were no comments from the Council or the public. Mayor Pro Tem Rubio closed the public hearing.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

11. Public Hearing and First Reading Ordinance - Urban Transportation Plan Amendment - Deletion of proposed Coverdale Street (Widgeon Drive) extension between the proposed County Road 52 extension and Starlite Lane

Ordinance amending the Urban Transportation Plan Map, of Mobility CC, a transportation element of the Comprehensive Plan of the City of Corpus Christi, by deleting the proposed extension of Coverdale Street (Widgeon Drive) between the proposed extension of County Road 52 and Starlite Lane; amending related elements of the Comprehensive Plan of the City; providing for severance; and providing for publication.

Mayor Pro Tem Rubio referred to Item 11. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to amend the Urban Transportation Plan Map, of Mobility CC, by deleting the proposed extension of Coverdale Street (Widgeon Drive) between the proposed extension of County Road 52 and Starlite Lane.

Mayor Pro Tem Rubio opened the public hearing. There were no comments from the public. Mayor Pro Tem Rubio closed the public hearing.

Council members and staff discussed the following topics: the location of Widgeon Drive; the entity that proposed the deletion; and the proposed extension existing only on paper.

Council Member McComb made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

N. REGULAR AGENDA: (ITEMS 12 - 13)

12. One Reading Action Item - Appropriating Funds for the purchase of a recycling truck for Solid Waste Services

Ordinance appropriating \$219,000 from the reserved future replacement account into the capital outlay expenditure account in Maintenance Services Fund No. 5110 for the purchase of one 2012 Peterbilt 320 compressed natural gas (CNG) recycling truck; amending the FY2016-17 operating budget adopted by Ordinance No. 030965 by increasing expenditures by \$219,000; authorizing the City Manager or designee to execute all necessary documents to purchase the recycling truck for \$219,000 from Rush Truck Center, of New Braunfels, through the Texas Local Government Purchasing Cooperative dba Buyboard, for use by Solid Waste Operations; and declaring an emergency.

Mayor Pro Tem Rubio referred to Item 12. Director of Fleet Maintenance Jim Davis stated that the purpose of this item is to appropriate funds to purchase one Peterbilt 320 Compressed Natural Gas (CNG) Recycling Truck to replace a CNG powered recycling truck destroyed by fire. Director of Solid Waste Operations Lawrence Mikolajczyk and Assistant Director of Financial Services Kim Baker were available to respond to questions. There were no comments from the public.

Council members and staff discussed the following topics: the purchase of the new 2012 unit; a future discussion on the funds generated by the recycling program and the cost to operate the program; whether the destroyed CNG recycling truck was insured and how much the City will receive from insurance claim; and the process for purchasing through the Texas Local Government Purchasing Cooperative dba Buyboard.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed and approved on one reading with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: 031112

13. Second Reading Ordinance - Ordinance adopting the London Area Wastewater Master Plan and the Storm Water Master Plan as elements of the Comprehensive Plan (Tabled 3/21/17) (Reconsidered 3/28/17)

Ordinance adopting the London Area Wastewater Master Plan, an element of the Comprehensive Plan; adopting the London Area Storm Water Master Plan, an element of the Comprehensive Plan; amending related elements of the Comprehensive Plan; providing for severance; and providing for publication.

Mayor Pro Tem Rubio referred to Item 13. Assistant Director of Planning and ESI Daniel McGinn stated that the purpose of this item is to adopt the London Area Wastewater and Storm Water Master Plans.

Mayor Pro Tem Rubio called for comments from the public. Carolyn Moon, 4902 Calvin, asked whether the London area master plans were included in the discussion regarding the building of sewer plants. Mr. McGinn confirmed that the London area master plans are part of the wastewater consolidation plan.

Council Member McComb made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on second reading and approved with the following vote:

Aye: 7 - Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Garza

Enactment No: 031113

L. RECESS FOR LUNCH

Mayor Pro Tem Rubio recessed the Council meeting at 1:30 p.m. Mayor Pro Tem Rubio reconvened the Council meeting at 2:05 p.m.

H. BOARD & COMMITTEE APPOINTMENTS:

3. Airport Board
Animal Care Advisory Committee
Transportation Advisory Commission

Mayor Pro Tem Rubio returned to the discussion regarding the appointments to the Airport Board. City Secretary Huerta stated that staff has confirmed Jon Reily's residential address and the work address listed in Austin, Texas is his employer's regional office; Mr. Reily works from his residence. A council member requested that the board applications be modified to include the reason individuals are interested in serving on boards.

Airport Board

Jon Reily was appointed with Council Members Garza, Smith, Guajardo, McComb, Molina and Hunter voting for Jon Reily and Council Members Rubio and Vaughn voting for Eric J. Cantu.

O. FIRST READING ORDINANCES: (ITEMS 14 - 18)

14. First Reading Ordinance - Accepting and appropriating grant funds for the Internet Crimes Against Children (ICAC) program within the Police Department

Ordinance authorizing the City Manager or designee to execute all

documents necessary to accept a grant from the Office of the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program, in the amount of \$10,150.00 to purchase equipment and supplies for the ICAC program within the Police Department; and appropriating the \$10,150.00 in the No. 1061 Police Grants Fund.

Mayor Pro Tem Rubio referred to Item 14. Police Chief Mike Markle stated that the purpose of this item is to accept and appropriate a grant from the Attorney General for the Internet Crimes Against Children (ICAC) Task Force program in the amount of \$10,150 for the purchase of computer equipment. There were no comments from the Council or the public.

Council Member Molina made a motion to approve the ordinance, seconded by Council Member Hunter. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

15.

First Reading Ordinance - Accepting and appropriating Grant funds for the Homeland Security Grant Program (HSGP)

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept 4 grants totaling \$280,108.79 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for law enforcement terrorism prevention activities; and appropriating \$280,108.79 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program into the No. 1062 Fire Grant Fund to carry out homeland security projects.

Mayor Pro Tem Rubio referred to Item 15. Deputy Fire Chief Richie Quintero stated that the purpose of this item is to accept and appropriate four grants totaling \$280,108.79 from the Texas Office of the Governor - Homeland Security Grant Division, Homeland Security Grant Program for law enforcement terrorism prevention activities. There were no comments from the Council or the public.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Vaughn. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

16.

First Reading Ordinance - Accepting and appropriating Insurance Claim Payments for Golf Fund

Ordinance authorizing the City Manager or designee to execute all documents necessary to accept and appropriate \$95,734.24 received from insurance claim payments in the No. 4691, golf Capital Reserve Fund to be used to replace damaged Golf Cart Barn at Oso Golf Course and amending the Fiscal Year 2017 operating budget adopted by Ordinance No. 030965 by increasing revenues and expenditures by \$95,734.24 each.

Mayor Pro Tem Rubio referred to Item 16. Director of Parks and Recreation Jay Ellington stated that the purpose of this item is to approve the appropriation of insurance claim payments received for the Golf Cart Barn at Oso Golf Course. There were no comments from the public. Council Member Hunter announced that he was abstaining from this item.

In response to a council member, Mr. Ellington stated that the cart barn and the equipment housed inside the barn were insured.

Council Member McComb made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 7 - Council Member Garza, Council Member Guajardo, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 1 - Council Member Hunter

17.

First Reading Ordinance - Exemption from the Wastewater Acreage/Lot Fees for property located east of Waldron Road and south of Don Patricio Road

Ordinance exempting Flour Bluff Gardens Unit 2, Block 2, Lots 2A & 2B, located east of Waldron Road and south of Don Patricio Road, from the payment of the Wastewater Lot/Acreage Fees Under Section 8.5.2.G.1 of The Unified Development Code; requiring the owner/developer to comply with the specified conditions.

Mayor Pro Tem Rubio referred to Item 17. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to exempt the property owners from paying wastewater lot and acreage fees as allowed by the Unified Development Code. Mr. Dimas provided an overview of existing wastewater infrastructure and stated that Planning Commission and staff are in favor of the waiver. There were no comments from the public.

Council members and staff discussed the following topics: whether property owners would be required to pay the fees if interested in tying into the system in the future and the cost to tie into the system.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Smith. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

18. Public Hearing and First Reading Ordinance - Closing portions of two utility easements at the Del Mar College East Campus, located at 101 Baldwin Blvd.

Ordinance abandoning and vacating portions of two existing utility easements, 0.237-acre portion of an existing utility easement and 0.390-acre portion of an existing utility easement out of a part of Del Mar College East Campus, Block 1, Lot 1, located at 101 Baldwin Blvd. and requiring the owner, Del Mar College, to comply with the specified conditions.

Mayor Pro Tem Rubio referred to Item 18. Interim Director of Development Services Julio Dimas stated that the purpose of this item is to abandon and vacate two portions of an existing utility easement to allow Del Mar College to construct a new educational facility on the lot. There were no comments from the Council or the public.

Council Member Garza made a motion to approve the ordinance, seconded by Council Member Molina. This Ordinance was passed on first reading and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

P. FUTURE AGENDA ITEMS: (ITEMS 19 - 21)

Mayor Pro Tem Rubio referred to Future Agenda Items. City Manager Margie C. Rose stated that staff had planned presentations on Items 19 and 21.

19. Service Agreement for Emergency Medical Services (EMS) Billing and Collection Services

Motion authorizing the City Manager or designee to execute a service agreement with Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation of Fort Lauderdale, Florida for Emergency Medical Services "EMS" Billing and Collection Services in accordance with Request for Proposal No. 984, based on best value with a not-to-exceed amount totaling \$9,351,660.00. The contract not-to-exceed amount is the possible amount based on a 100% collection rate, and does not include the potential revenue that will be owed to the City. The current collection rate in 2015 was 36.95%, and in 2016 it was 39%. The recommended contractor has outlined a program to increase the collection rate. The term of the contract will be for three years with up to two additional one year extension option periods.

This Motion was recommended to the regular agenda.

20. Supply Agreement for solar portable restrooms at Packery Channel for Beach Operations

Resolution authorizing the City Manager, or designee, to execute a supply agreement with A.M.S. Global, Inc., of DeKalb, Texas, to furnish solar portable restrooms at Packery Channel for Beach Operations in an amount not to exceed \$302,668.00, with funding available in the FY2016-2017 Tax Increment Reinvestment Zone #2 Fund.

This Resolution was recommended to the consent agenda.

21. Approval for Amendments to Construction Inspection Staff Support Contracts (Council Priority - Streets)

Motion authorizing City Manager, or designee, to execute amendments for twelve Construction Inspection Staffing Contracts totaling \$1,530,435.50 for providing Construction Inspection Staff Support within the Engineering Services Department.

This Motion was recommended to the regular agenda.

Q. BRIEFINGS: (NONE)

R. LEGISLATIVE UPDATE:

None.

S. EXECUTIVE SESSION: (ITEMS 22 - 25)

Mayor Pro Tem Rubio referred to the day's executive sessions. The Council went into executive session at 3:30 p.m. The Council returned from executive session at 6:01 p.m.

22. Executive Session pursuant to Texas Government Code § 551.071 of the Texas Government Code and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to litigation related to the case of *Mary Zuniga vs. City of Corpus Christi, Texas, et al.* including authorization of attorney's fees and expenses for further proceedings.

Mayor Pro Tem Rubio referred to Item 22 and the following motion was considered:

Motion to authorize the City Manager to execute a professional services agreement with McKibben, Martinez, Jarvis & Wood, L.L.P. for the defense of Corpus Christi Police Officers in *Mary Zuniga v. City of Corpus Christi et al* lawsuit in an additional amount not to exceed \$70,000.

Council Member Smith made a motion to approve the motion, seconded by Council Member Vaughn. This Motion was a passed and approved with the following vote:

Aye: 8 - Council Member Garza, Council Member Guajardo, Council Member Hunter, Council Member McComb, Council Member Molina, Council Member Rubio, Council Member Smith and Council Member Vaughn

Abstained: 0

Enactment No: M2017-054

- 23. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning confidential legal issues related to the U.S. Fair Housing Act, the Americans with Disabilities Act, the City's regulation of social services, community homes, group homes, the City's Uniform Development Code, and other federal, state, and local laws related to disabilities, fair housing, and land use regulation.
- This E-Session Item was discussed in executive session.**
- 24. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues (including TCEQ and EPA regulations) related to the provision of utility services in industrial districts, desalination, reuse, utility rate design, and water and wastewater treatment and distribution and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).
- This E-Session Item was discussed in executive session.**
- 25. Executive Session pursuant to Texas Government Code § 551.071** and Texas Disciplinary Rules of Professional Conduct Rule 1.05 to consult with attorneys concerning legal issues related to the provision of incentives pursuant to any previously executed or proposed economic development / business incentive agreement(s) between the City and/or related entities and Upper Padre Partners, LP and/or North Padre Waterpark Holdings, Ltd. and possible development agreements or other funding mechanisms related to the construction of Park Road 22 and related infrastructure, including, but not limited to, bridges, culverts, canals, sewers, lift stations, pump stations, revetments, pilings, and ditches, and pursuant to **Texas Government Code § 551.087** to discuss confidential commercial or financial information pertaining to business prospect(s) that the City seeks to have locate, stay or expand in or near the territory of the City and with

which the City may conduct economic development negotiations and/or deliberate possible economic development issues concerning said business prospect(s).

This E-Session Item was discussed in executive session.

T. IDENTIFY COUNCIL FUTURE AGENDA ITEMS

Mayor Pro Tem Rubio referred to Identifying Council Future Agenda Items.

MOTION OF DIRECTION

Council Member Molina made a motion directing the City Manager to bring back the Request for Proposal (RFP) regarding the New Orleans Pelicans considering a coast city for a NBA Development League team for review, seconded by Council Member Hunter and passed unanimously.

U. ADJOURNMENT

The meeting was adjourned at 6:07 p.m.